

Regular Session, 2009

HOUSE BILL NO. 36

BY REPRESENTATIVE PONTI

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIME/BATTERY: Amends the definition of second degree battery

1 AN ACT

2 To amend and reenact R.S. 14:34.1, relative to second degree battery; to amend the  
3 definition of second degree battery; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 14:34.1 is hereby amended and reenacted to read as follows:

6 §34.1. Second degree battery

7 A. Second degree battery is a battery ~~committed without the consent of the~~  
8 ~~victim~~ when the offender intentionally inflicts serious bodily injury.

9 B. For purposes of this ~~article~~ Section, "serious bodily injury" means bodily  
10 injury which involves unconsciousness, extreme physical pain or protracted and  
11 obvious disfigurement, or protracted loss or impairment of the function of a bodily  
12 member, organ, or mental faculty, or a substantial risk of death.

13 C. Whoever commits the crime of second degree battery shall be fined not  
14 more than two thousand dollars or imprisoned, with or without hard labor, for not  
15 more than five years, or both.

## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Ponti

HB No. 36

**Abstract:** Provides relative to crime of second degree battery.

Present law provides that second degree battery is a battery committed without the consent of the victim when the offender intentionally inflicts serious bodily injury.

Proposed law retains present law and makes technical changes only.

(Amends R.S. 14:34.1)

Summary of Amendments Adopted by HouseHouse Floor Amendments to the engrossed bill.

1. Retains present law elements of the crime of second degree battery.
2. Makes technical changes.